

Kansas Environmental News



Fall 2004



Secretary's Corner

This fall, KDHE is embarking on a new project to help Kansans better protect their environment, while at the same time disposing of electronic items in ways other than in landfills. KDHE has set up two e-waste collection projects, one in Seward County and another in the Lyon/Chase County area. The pilot projects kick off November 15 which is America Recycles Day. The e-waste projects may eventually be implemented statewide at a later date.

EPA recently commended KDHE for its work in preparing the water quality standard revisions and approved nearly all of provisions of the new and revised Kansas water quality standards submitted by KDHE. These are now effective for implementation. States are required to review their water quality standards at least every three years and submit new or revised standards to EPA.

The Kansas Meth Watch Program has once again gained the national spotlight. This drug prevention program has been adopted as a national model to reduce or eliminate meth labs in more than 20 states. The Kansas Retailers' Meth Watch Program was developed by KDHE as a coordinated effort between retailers and law enforcement in the fight against methamphetamine production and abuse. Scott Burns, the Deputy Director for State and Local Affairs of the White House Office of National Drug Control Policy calls the Kansas Retailer's Meth Watch Program another useful tool in combating meth production in the United States. In addition, the Consumer Healthcare Products Association (CHPA) adopted the Meth Watch Program as a national model for other states and retailers.

It was another successful year for the Kansas Environment Conference hosted by KDHE in Overland Park. Approximately 400 people participated in the event which featured topics ranging

from environmental compliance issues to pollution prevention opportunities in the healthcare industry. Planning will soon begin for the 2005 conference.

Be Well,

Roderick L. Bremby

Regulatory Enforcement Fairness Roundtables

Community and business leaders, concerned about excessive fines and burdensome enforcement of federal regulations, will have an opportunity to discuss their concerns with the U.S. Small Business Administration's National Ombudsman at a Regulatory Fairness Board Roundtable in Topeka on

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November 18, 2004. (Location and time to be determined)

The informal forum offers small business owners and representatives from business and trade associations a chance to discuss openly, without fear of retaliation, their concerns about federal compliance practices across the state of Kansas.

The forum's goal is to inform small entities of their right to file a formal comment about excessive federal regulatory enforcement. A secondary goal is to educate local communities about the mission and role of the Office of the National Ombudsman. Fair enforcement roundtables are exploratory and provide an informal setting where the local small business community and its leadership openly discuss federal regulatory enforcement activities.

The Office of the National Ombudsman was created by the Small Business Regulatory Enforcement Fairness Act of 1996 (SBREFA). The act established 10 regional fairness boards, with a member small business owner from every state. Information gathered at the roundtable will be shared with government officials in the Ombudsman's annual report to Congress and with directors and managers of federal regulatory agencies to help them with their enforcement actions.

The focus and mission of the National Ombudsman's office is "fair enforcement of federal regulations" not "fair regulations." The SBA Office of Advocacy may be able to better assist with pending regulations or regulations that are perceived to be unfair. The SBA Office of the National Ombudsman is specifically authorized to receive comments/testimony/complaints from small entities about unfair or excessive federal enforcement of regulations.

Examples of unfair or excessive (regulatory) enforcement may include repetitive audits or investigations, exorbitant fines, penalties, threats, retaliation or rudeness. The goal of the SBA Ombudsman's Office is to change the regulatory enforcement environment from "gotcha" to helping, educating and assisting well intentioned small business owners comply with federal regulations - some that they may not even know about. It's all about encouraging an environment where entrepreneurs can flourish - and create jobs.

The Topeka Roundtable will be open to the public, however, those wishing to participate in the discussion must register. To register simply contact Gary L. Cook, Director, SBA's Kansas City Office, (816) 374-6897, email gary.cook@sba.gov.

Gary Cook, US Small Business Administration, Kansas City

Bureau of Air Permit Program Update

The KDHE Bureau of Air and Radiation (BAR), in its desire to improve customer service to the regulated community, is undergoing some changes. Each permitted source has been assigned a permit writer, or project manager, as the "primary care" contact. This person will be knowledgeable about not only the facility's industrial processes, but also construction permits, operating permits, and compliance issues. BAR permitting teams are divided up according to industry type. In addition, the BAR Web site at <http://www.kdhe.state.ks.us/air-permit/index.html> has been updated with new technical guidance and frequently asked questions documents as an aid to help sources understand the complex world of air permitting. Finally, air quality regulations are being updated. If you have questions or concerns about specific issues, contact the Small Business Environmental Assistance Program at 800-578-8898 or KDHE at 785-296-6422.

KDHE REGULATIONS IN PROCESS

update 10/21/04

REGULATION	DIV. DRAFT	EPA REVIEW	DOA REVIEW	AG REVIEW	PUBLIC HEARING	EFFECTIVE
<u>Waste Management</u>						
Haz. Waste Monitoring Fee	4/04	N/A	4/04	5/04	7/04	10/04
Definitions	*10/04	N/A	*10/04	*11/04	*1/05	*2/05
Tires	2/04	N/A	*11/04	*12/04	*2/05	*4/05
Hazardous Waste Update (A)	*11/04	*12/04	*12/04	*3/05	*5/05	*7/05
<u>Air and Radiation</u>						
AcidRainPermits(A)	*9/04		*10/04	*11/04	*2/05	*3/05
Acid Rain NOx(N)	*9/04		*10/04	*11/04	*2/05	*3/05
UpdateStds(NSPS,MA)	3/04		6/04	*7/04	10/20/04	*11/04
Consolidated Air Rule (N)	3/04		6/04	*7/04	10/20/04	*11/04
Definitions (A)	*9/04		*10/04	*11/04	*2/05	*3/05
Inventory Report Regs	6/04		*9/04	*10/04	*1/05	*2/05
Transportation Conformity (A)	*9/04		*10/04	*11/04	*2/05	*3/05
Permitting Rules (A)	6/04		*10/04	*11/04	*2/05	*3/05
Fugitive Dust Rule (N)	*9/04		*10/04	*11/04	*2/05	*3/05
<u>Water</u>						
Surface WQS	5/04	*2/05	6/04	*6/04	10/04	11/04
<u>Public Water Supply</u>						
Lead Copper Minor Revisions(N)	3/03	3/03	3/04	4/04	7/04	9/04
Consumer Confidence Report(N)	3/03	3/03	3/04	4/04	7/04	9/04
Public Notification(N)	3/03	3/03	3/04	4/04	7/04	9/04
IESWTR(N)	3/03	3/03	3/04	4/04	7/04	9/04
Stage 1 DDBP(N)	3/03	3/03	3/04	4/04	7/04	9/04
LT1(N)	3/03	3/03	3/04	4/04	7/04	9/04
Filter Backwash Recycling Rule(N)	3/03	3/03	3/04	4/04	7/04	9/04
Radionuclide Rule(N)	3/03	3/03	3/04	4/04	7/04	9/04
Arsenic Rule(N)	3/03	3/03	3/04	4/04	7/04	9/04
Permits		3/03	3/04	4/04	7/04	9/04
28-15-11,13,14,15a,20,21,22(R)	3/03	3/03	3/04	4/04	7/04	9/04
<u>Geology</u>						
Water Well (GMD #2)	2/04	N/A	8/04	*10/04	*11/04	*12/04
<u>Livestock Waste Managment</u>						
Groundwater	12/03	N/A	*1/05	*2/05	*4/05	*6/05
<u>Environmental Remediation</u>						
Surface Mining	9/03	N/A	9/04			
Env. Use Control	6/04	N/A				

New(N), Amended(A), Revoked(R)

* denotes projected date

*denotes projected date

KDHE Booth, Great Hunt Popular at State Fair

As in past years, the KDHE booth and A Great Hunt for your Health and Environment@ proved to be favorite stops for Kansas State Fair goers. The Fair, which ran September 5-14, enjoyed substantially increased attendance this year and visits to the KDHE booth followed the trend. The booth featured displays and publications on a range of health and environmental topics. New interactive games were offered this year on the topics of recycling, composting and household hazardous waste management.

Now in its seventh year, the Great Hunt for Your Health and Environment was organized by the Bureau of Waste Management and featured ten displays or demonstrations from KDHE bureaus scattered across the fair grounds and buildings. Hunt sites featured information on home composting, West Nile Virus, cancer and lead poisoning prevention, air and water quality, household hazardous waste and child safety.

Fair goers recorded a code from each site on a map, scavenger hunt style, and turned in the completed forms at the KDHE booth for a prize. This year, more than 300 successful great hunt participants received a canvas tote bag featuring information about the Kansas Don't Spoil It! public awareness campaign.

The KDHE booth and the Great Hunt in particular attracted many repeat customers. Several visitors and Hunt participants indicated they visit the KDHE booth and participate in the Great Hunt every year. One class of 17 students from Hutchinson included the Great Hunt in their class activities. Students and their teacher visited each hunt site and participated in class exercises related to each Hunt display topic.

For additional information on the Great Hunt or Kansas Don't Spoil It! program, contact Jim Rudeen at the Bureau of Waste Management, (785) 296-1603 or jrudeen@kdhe.state.ks.us.

EPA Region 7 Pollution Prevention Awards for Environmental Excellence

EPA is seeking nominations of projects and programs that demonstrate successful source reduction. There are five categories of awards: energy efficiency and renewable or alternative energy, community pollution prevention, pollution prevention for environmental justice, environmentally preferable products and services, and general pollution prevention.

The deadline for submitting applications for awards is February 15, 2005. For more information and applications for the awards program, contact Jennifer Anderson by phone at 913-551-7644 or by e-mail at anderson.jennifer@epa.gov.

PWS Loan Program Issues Bonds

The Kansas Development Finance Authority (KDFA) issued \$176,010,000 in revenue bonds September 15, on behalf of the Bureau of Water's Kansas Public Water Supply Loan Fund (KPWSLF). The KPWSLF provides low interest rate loans to Kansas cities and rural water districts to fund improvements to drinking water infrastructure. The bonds were rated AAA by Fitch IBCA, and Standard & Poor's, and AA1 by Moody's Investor's Services, all upgrades from previous ratings. The proceeds will provide \$100,000,000 in new funding for the program, with the balance used to refund previously issued bonds because of current lower interest rates.

The KPWSLF is able to offer loans at low interest rates through the use of grant funds from the Environmental Protection Agency. Each year, the program receives a capitalization grant of approximately \$9,500,000. The grant funds are invested and the investment earnings are used to subsidize the interest rate offered to the municipalities. The EPA grant funds are also pledged as security to guarantee repayment of the revenue bonds in the event of default by a borrower.

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As of September 1, 2004, the program has issued 116 loans to 101 water systems, ranging from \$33,802.33 for Saline RWD No. 4 to \$20 million for Olathe. For more information on the KPWSLF, contact Bureau of Water staff member Dave Waldo at 785-296-5503.

Pollution Prevention Efforts Recognized at Environment Conference

The 2004 Pollution Prevention Awards were presented during the annual Kansas Environment Conference held August 31 - September 2 at the Doubletree Hotel in Overland Park. The awards were presented at the conference luncheon on September 1.

The Kansas Department of Health and Environment (KDHE) sponsors the yearly awards for businesses, industries, municipalities, and individuals who make significant contributions to the prevention of pollution. Award applications are screened by agency staff, then submitted to an independent awards selection committee who recommend final awards to KDHE.

The following projects were selected to receive awards this year:

Fort Riley received an award in the New Initiatives category for implementing a Lithium Sulfur Dioxide (LiSO_2) battery management program. LiSO_2 batteries are commonly used to power military communications systems and other portable electronics. Due to the environmental risks associated with LiSO_2 batteries, the State of Kansas requires the batteries be disposed of as universal waste when they have an electrical charge; however, discharged LiSO_2 batteries are less reactive and can be disposed of as non-hazardous solid waste. Fort Riley's innovative program of reusing the batteries and safely discharging batteries that cannot be reused has saved Fort Riley more than \$114,600 since its inception in October 1999.



Richard Clement, Ft. Riley; KDHE Secretary Rod Bremby; Ed Cobb, Ft. Riley

UBF Foodsolutions in Wichita received an award in the New Initiatives category for implementing an Environmental Management System (EMS). UBF Foodsolutions is a premier blending company that enjoys the business of some of the world's largest fast food and casual dining restaurant chains. UBF has facilities located across the U.S. with the capability of producing wet products such as sauces and dressings as well as being able to produce dry blends. Some of UBF's accomplishments since implementing the EMS include recycling of polypropylene super sacks, installation of energy efficient lighting, elimination of chlorinated solvents, decreased hazardous waste emission through inventory control, implementation of a mercury elimination program, integrated pest management, and general recycling. The facility now enjoys upwards of \$80,000 in annual savings from these new practices!



John Parker, UBF Foodsolutions; KDHE Secretary Rod Bremby; Russ Haswell, UBF Foodsolutions

Pollution Prevention Awards are presented annually. For more information about the awards program, contact Cathy Colglazier of KDHE at 785-296-0669 or 800-357-6087.

Amnesty Opportunity for Gas Producers

In early 2004, KDHE identified a possible Clean Air Act compliance gap with the natural gas production industry and has now established a compliance initiative opportunity for the industry. Vick Cooper, Chief of the KDHE Air Permitting and Compliance Section, has announced the terms of a state amnesty program currently in effect for gas producers entitled "Independent Gas Compliance Initiative." The amnesty program provides gas producers currently out of compliance with state air quality regulations relief from certain penalties if they come into compliance prior to June 30, 2005.

Types of natural gas equipment that may be subject to air quality regulations include compressor engines, electrical generators, heaters, boilers, glycol dehydrators, gas-processing plants, gas-sweetening units, large storage tanks, and flares. NO_x, CO, and formaldehyde are the main criteria and hazardous air pollutants of concern. The Small Business Environmental Assistance Program (SBEAP) is working with KDHE and the Kansas Independent Oil and Gas Association (KIOGA) to provide technical assistance and outreach to oil and gas producers during this amnesty period. SBEAP has presented seminars at two KIOGA meetings and plans to present at others over the next year. SBEAP has also developed an industry-specific fact sheet that details permitting needs and amnesty specifics, and provides sample PTE calculations for common equipment. Find the fact sheet at the SBEAP Web site at http://www.sbeap.org/ppi/publications/Oil_Gas_FactSheet.pdf or call 800-578-8898 for a copy.

Change for the Better With Energy Star

ENERGY STAR is a government/industry partnership that offers businesses and consumers energy-efficient solutions, making it easy to save money while protecting the environment for future

generations.

In 1992, the U.S. Environmental Protection Agency (EPA) introduced ENERGY STAR as a voluntary labeling program designed to identify and promote energy-efficient products to reduce greenhouse gas emissions. Computers and monitors were the first labeled products. Through 1995, EPA expanded the label to additional office equipment products and residential heating and cooling equipment. In 1996, EPA partnered with the U.S. Department of Energy (DOE) for specific product categories. The ENERGY STAR label is now on major appliances, office equipment, lighting, home electronics, and more. EPA has also extended the label to cover new homes and commercial and industrial buildings.

Through its partnerships with more than 8,000 private and public sector organizations, ENERGY STAR delivers the technical information and tools that organizations and consumers need to choose energy-efficient solutions and best management practices. ENERGY STAR has successfully delivered energy and cost savings across the country, saving businesses, organizations, and consumers more than \$8 billion a year. Over the past decade, ENERGY STAR has been a driving force behind the more widespread use of such technological innovations as LED traffic lights, efficient fluorescent lighting, power management systems for office equipment, and low standby energy use.

ENERGY STAR provides a trustworthy label on more than 40 product categories (and thousands of models) for the home and office. These products deliver the same or better performance as comparable models while using less energy and saving money. ENERGY STAR also provides easy-to-use home and building assessment tools so that homeowners and building managers can start down the path to greater efficiency and cost savings.

The EPA maintains a Web site with a variety of free information, energy assessment tools, and practical tips at <http://www.energystar.gov>
Chris Hess, US EPA Region 7

Home Improvement Tips for Energy Efficiency

The following home improvement tips were taken from the Energy Star Web site. Visit the Web site at www.energystar.gov.

- *Change a light and save a bundle. ENERGY STAR qualified light bulbs are 75 percent more efficient than incandescent bulbs. When just one room in every home is brightened by ENERGY STAR lighting, the change will keep over one trillion pounds of carbon dioxide out of our air.*
- *Make a quick trip to the hardware store or home improvement center for a hot water insulation kit to wrap your water heater and save on water heating costs.*
- *Use an ENERGY STAR qualified programmable thermostat that can automatically adjust the temperature of your home when you are away.*
- *Upgrade your refrigerator if it is 10 years old or older. Refrigerators use more energy than any other appliance in your home, but an ENERGY STAR qualified refrigerator uses about half the energy of a 10-year old conventional model.*
- *Consider replacing your central air conditioning system if it is more than seven years old. Look for the ENERGY STAR label when you buy and use 20 percent less energy than a standard model. If just one household in 10 bought ENERGY STAR heating and cooling equipment, the change would keep over 17 billion pounds of pollution out of our air.*
- *Replace your clothes washer with an ENERGY STAR labeled model when it is time. Clothes washers use energy to both clean clothes and heat water, so to save on energy costs, wash your clothes in cooler water. ENERGY STAR qualified clothes washers use 50 percent less water and 70 percent less energy per load; that's up to \$100 every year*

Presentations from the 2004 Kansas Environment Conference are now available online.
Visit the conference Web site at http://www.kdhe.state.ks.us/sbcs/environment_conf.html.

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